

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
BOARD MEETING**

FINAL MINUTES

August 14, 2009

A SPECIAL MEETING OF THE OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 9:35 A.M., MOUNTAIN STANDARD TIME, ON AUGUST 14, 2009, BY TELEPHONE CONFERENCE CALL PURSUANT TO NOTICE. MEMBERS CHRIS KORELL, LOUISE STARK, AND ALEX IRBY WERE IN ATTENDANCE. ALSO PRESENT WAS BOARD ATTORNEY ROGER HALES. CHRIS KORELL ACTED AS CHAIRMAN FOR THE MEETING.

The Chairman brought up the single topic on the agenda, the decision based upon the Second Amended Complaint filed by the Staff of the Outfitters and Guides Licensure Board against Idaho Outdoor Wilderness Adventures, LLC, doing business as Heavens Gate Outfitters, and designated agent, Darwin J. Vander Esch, Case No. 07-7626-20. The Chairman called for a discussion on the various counts of the Second Amended Complaint based upon witness testimony and the exhibits admitted into evidence during the hearing which occurred on July 13-14, 2009. After a full discussion, Board Member Irby moved to hold that Respondents had violated Counts I, II, V and VI of the Second Amended Complaint, and that Counts III and IV be dismissed. The motion further provided that Respondents would be disciplined for Counts I and II by a fine in the amount of \$1,000.00 each; that the discipline as to Count V would be a fine in the amount of \$2,500.00; and that the Board recover the costs and attorney's incurred in the investigation and prosecution in regards to Count VI. The motion further included a requirement that Respondents be placed on probation, and that in the event they violate the terms of their probation or order, Darwin Vander Esch's guide license shall be suspended for a period of one year. Board Member Stark seconded the motion. After further discussion, the Board members unanimously voted to approve the motion. Thereafter Board Member Stark moved to direct counsel to prepare findings, conclusions and an order consistent with the Board's motion. Board Member Irby seconded. After a discussion, the motion was unanimously approved by the Board members by vote.

With no further business to come before the Board, the Chairman adjourned the meeting at approximately 10:20 a.m., Friday, August 14, 2009.

_____ Date _____

CHRIS KORELL, ACTING CHAIRMAN

_____ Date _____

LOUISE STARK

_____ Date _____

ALEX IRBY

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